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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

TASH HEPTING, GREGORY HICKS, CAROLYN JEWEL and ERIK KNUTZEN, on Behalf of Themselves and All Others Similarly Situated,, Plaintiffs, v. AT&T CORP., et al., Defendants.	No. C-06-0672-VRW **CLASS ACTION** **PLAINTIFFS' ADMINISTRATIVE MOTION TO REMOVE INCORRECTLY FILED DOCUMENT FROM DOCKET** Courtroom: 6, 17th Floor Judge: Hon. Vaughn Walker

Dockets.Justia.com

Plaintiffs respectfully request that an order be granted to remove document #93 from the docket on the grounds that a portion of an exhibit to document #93 was incorrectly filed. Document #93 contains information that is currently lodged with the court pursuant to Local Rule 79-5 and that the defendants claim should be filed under seal. This request is brought pursuant to Civil Local Rule 7-11.

Today, May 1, 2006, at 12:02 p.m., plaintiffs inadvertently e-filed a document as part of an exhibit to document #93 that contains information from documents currently lodged with the court under seal. Plaintiffs intended to file this information under seal. The information is contained in a notice for deposition pursuant to F.R.C.P. 30(b)(6) and references information from the documents lodged pursuant to Local Rule 79-5. Due to a miscommunication with administrative staff, the portion of the exhibit was e-filed and was not placed under seal. Plaintiffs immediately contacted the ECF staff and the document was locked by 1:30 p.m. Plaintiffs have refilled the letter brief, without the portion of the exhibit that should be under seal, as document #94.

Because a portion of the exhibit to document #93 was inadvertently filed as part of the ECF system and should have, instead, been filed under seal pending the Court's determination of the administrative motion under 79-5 set for May 17, 2006, plaintiffs respectfully request that document #93 be immediately removed from the ECF system.

DATED: May 1, 2006

ELECTRONIC FRONTIER FOUNDATION

By ______________________________

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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the following non-CM/ECF participants:

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